

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

LAND ACQUISITION - West Godavari District - Yerrakalva Reservoir Project - Jangareddigudem Mandal - Vegavaram Village - Land acquired under Award No:103/86, Dated 23.9.86 - Enhancement of Land compensation by the Hon'ble High Court of Andhra Pradesh in A.S.No.1684/2000, dated 10.3.2008 filed against O.P.No.6/88, dated 1.9.1999- Decretal charges of Rs.14,90,146/- - Sanction - Orders - Issued.

IRRIGATION & CAD (PW.LA.I) DEPARTMENT

G.O.Rt.No: 285

Dated:22.04.2009

Read :

From the Dist Collector, West Godavari, Eluru, Roc No:G3/11487/2008, Dated:23.12.2008.

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ORDER:

In the reference read above, it has been reported to Government that an extent of 15.45 acres of land in survey Nos. 269/2, 243/2 and 234/1 situated at Vegavaram village of Jangareddigudem Mandal, West Godavari District under Award No. 103/86. Dt: 23.9.86 was acquired by the then Land Acquisition Officer & Spl Dy. Collector(LA), Jagareddygudem Mandal, West Godavari District for formation of Yerrakalva Reservoir Project, duly fixing the land value @ Rs.3,500, 5,500/- and 6,000/- per acre. Aggrieved landowners filed the claim in lower Court under Sec.18 of the Land Acquisition Act. Court of the Principal Senior Judge, Eluru have enhanced the Market Value from Rs.3,500/-, Rs.5,500/- and Rs.6,000/- to Rs.11,000/- per acre in O.P No.6/88, dated.1.9.1999, with a direction to the Land Acquisition Officer to pay solatium @ 30% on the enhanced market value of the Land acquired and 12% additional market value from the date of publication of notification under section 4(1) till the date of passing award and interest 9% for one year from the date of taking possession and 15% interest till the date of realization on enhanced Market Value.

2. Aggrieved by the Lower Court Orders, the Land Acquisition Officer preferred an Appeal in AS.No.846/2004 and claimants filed an appeal in AS.No.1684/2000. The Hon'ble High Court while dismissing the Appeals, the Court have enhanced the Market value from Rs.11,000/- to Rs.22,000/- per acre in AS.No.1684/2000 and AS.No.846/2004, dt.10.3.2008.

3. The Collector & District Magistrate, West Godavari, has requested the Government to sanction and release an amount of Rs.14,90,146/- in respect of O.P.No.6/88, as per the orders of High Court in AS.No.1684/2000, dated.10.3.2008..

4. Government after careful examination hereby accord sanction for an amount of **Rs.14,90,146/-** (Rupees Fourteen lakhs Ninety thousand One hundred and Forty Six only) in respect of O.P.No.6/88 towards entire /full decretal charges for depositing in the civil court to comply with the orders of High Court in A.S. No:1684/2000, dt.10.3.2008, as well as Lower Court in this case; subject to verification whether the reference under section 18 of the LA Act is made to the lower court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Government/Chief Commissioner of Land Administration immediate action should be taken to recover the loss sustained by the Govt. from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer (Medium) as to the extent of land acquired. Further, the Collector should verify the calculations made by the LAO/RDO once again thoroughly with reference to the decree and instructions issued by the Government/Chief Commissioner of Land Administration on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower Court.

(P.T.O)

5. The expenditure sanctioned above shall be debited to the Head of Account under "4701 – Capital Outlay on major & Medium Irrigation (03) Medium Irrigation – Commercial MH – 146 Yerrakalva Reservoir – Schemes included in the Plan –GH.11 – Normal State Plan – SH (26) D&A Works – 530/532 Lands (Charged). In case, the available budget provisions is not sufficient to meet the present requirement, the expenditure may be met initially by way of advance from contingency fund to surrendering an equal amount from voted grant.
6. The District Collector, West Godavari shall follow the directions issued by the Hon'ble High Court on 30.4.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.No.6/88, under Yerrakalva Reservoir Project Scheme for avoiding intervention of the middlemen
7. The Engineer – in- Chief (Medium), Hyderabad shall take necessary steps for release of LOC immediately.
8. This order issues with the concurrence of Finance (Expr. PW-I) Department vide their U.O. No:8560/359/Exp.pw-I/09, Dated:25.3.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To
The Special Chief Secretary to Government & Chief Commissioner of Land Administration,
Andhra Pradesh, Hyderabad.
The Collector, West Godavari District, Eluru
The Engineer – in- Chief (Medium), Hyderabad,.
Copy to:
The Accountant General, Andhra Pradesh, Hyderabad.
The Pay & Accounts Officer, West Godavari Eluru.
The Superintending Engineer, Irrigation Circle, Eluru.
The District Treasury Officer, West Godavari Eluru.
The Revenue Divisional Officer, Jangareddigudem, West Godavari District.
The Finance (Expr.PW-I) Department
File C.No.465/L.A.I(A1)/2009
SF/SCs

//FORWARDED :: BY ORDER//

SECTION OFFICER